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BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

| | | |
|---------------------------------|---|------------|
| In the Matter of the Accusation |) | |
| Against: |) | No. D-1912 |
| |) | L-13335 |
| OWEN KWONG, M.D. |) | |
| License No. C-17257, |) | |
| |) | |
| Respondent. |) | |

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Division of Medical Quality as its Decision and Order, the same being incorporated herein by reference as if set forth at length herein, with said proposed decision being adopted in its entirety, except for the following reduction in penalty which relieves the respondent of the duty to provide voluntary non-compensated medical care on a voluntary basis.

The order appearing on page 8 of the proposed decision is amended to read as follows:

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The Certificate of Licensure issued to Owen Kwong, M.D. No. C 17257 is revoked on each cause determined above, separately and severally without prejudice to his filing a petition for restoration of his revoked certificate on or after the termination or modification of his court imposed probation allowing him to seek to resume the practice of medicine.

This Decision becomes effective on JANUARY 10, 1978.

IT IS SO ORDERED this 9th day of DECEMBER, 1978.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE

By Eugene C. Feldman, MD

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

| | | | | |
|---------------------------------|---|------------|---|---------|
| In the Matter of the Accusation | } | NO. D-1912 | | |
| Against: | | | | |
| OWEN KWONG | | | } | L-13335 |
| License No. C-17257, | | | | |
| Respondent. | } | | | |

PROPOSED DECISION

This matter came on regularly for hearing before William Green, an Administrative Law Judge of the Office of Administrative Hearings, at Los Angeles, California, on June 30, 1977, at the hour of 9:00 a.m. William L. Marcus, Deputy Attorney General, appeared on behalf of the complainant. Respondent appeared in person and was represented by Thomas M. McGurrin, Attorney at Law. This matter was heard on a consolidated record with a matter entitled "In the Matter of the Accusation against Owen Kwong, M.D., Medi-Cal Provider No. OOC 172570, Respondent", before the Department of Health, No. 77-32, L-14257. Oral and documentary evidence was introduced, stipulations were entered into and a written stipulation was filed July 11, 1977 and marked as complainant's exhibit 2. The following facts are found:

I

Joseph P. Cosentino, M.D., made the Accusation herein in his official capacity as the Acting Executive Officer of the Board of Medical Quality Assurance of the State of California.

II

On or about September 7, 1955 the Board of Medical Examiners (predecessor to the Board), issued to Owen Kwong, M.D., respondent herein, Certificate of Licensure No. C-17257. Said license is currently in effect.

III

On or about April 13, 1976 an indictment was handed down against respondent in the United States District Court, Central District of California. Count One of that indictment alleged conspiracy to violate certain federal statutes regulating controlled substances, itself a violation of 21 U.S.C. §846. On or about June 7, 1976 following respondent's plea of guilty to Count One respondent was convicted of violating 21 U.S.C. §846 and was then placed on probation for three years. The offense to which respondent pleaded guilty and of which he was then convicted is a crime substantially related to the qualifications, functions and duties of the medical profession and is a felony.

IV

From on or about April 23, 1974 to on or about December 1, 1975 respondent prescribed the following drugs and controlled substances for [REDACTED], [REDACTED], [REDACTED] and [REDACTED]

| <u>DRUG</u> | <u>AMOUNT</u> |
|--------------------|-----------------|
| Quaalude 300 mg. | 70,000 tablets |
| Dexedrine 15 mg. | 15,000 capsules |
| Seconal 1-1/2 gr. | 5,000 capsules |
| Desoxyn 15 mg. | 700 tablets |
| Nembutal 100 mg. | 100 capsules |
| Preludin 75 mg. | 200 tablets |
| Biphedamine 20 mg. | 20,000 capsules |
| Tuinal 3 gr. | 37,000 capsules |

All of the drugs set forth above were prescribed without good faith prior examination of the persons or any of them, and without medical indication therefor, and none of the individuals for whom said drugs were prescribed were under treatment by respondent.

V

Respondent also prescribed the following drugs to the following people:

| <u>SUBJECT</u> | <u>TIME SPAN</u> | <u>DRUG & AMOUNT</u> |
|----------------|-----------------------------|--------------------------|
| [REDACTED] | May 13, 1975 - June 9, 1975 | 300 Seconal 1-1/4 gr. |
| " | " | 200 Biphetamine 20 mg. |
| [REDACTED] | May 28, 1975 | 60 Seconal 1-1/2 gr. |
| " | " | 60 Biphetamine 20 mg. |
| [REDACTED] | June 2, 1975 - June 9, 1975 | 600 Seconal 1-1/2 gr. |
| [REDACTED] | June 6, 1975 | 50 Seconal 1-1/2 gr. |
| [REDACTED] | June 6, 1975 | 50 Seconal 1-1/2 gr. |

All of the foregoing drugs were prescribed without good faith prior examination of the individuals, or any of them, and without medical indication therefor, and none of the persons for whom said drugs were prescribed were under treatment by respondent.

VI

On or about the following dates respondent submitted the following claims to the California Medical Assistance program for payment:

| <u>DATE</u> | <u>PATIENT</u> | <u>SERVICES RENDERED</u> | <u>AMT. CHARGED</u> |
|-------------|----------------|---|---------------------|
| 5-30-75 | [REDACTED] | 90020 Initial Ofc. Visit 71020 Chest X-ray Z view 85010 CBC 90705 Bicillin CR | \$65 |
| 5-30-75 | [REDACTED] | 90020 Initial ofc. Visit 85010 CBC 87000 Stain Smear 90705 Bicillin | \$55 |
| 5-30-75 | [REDACTED] | 90020 Initial Ofc. Visit 71020 Chest X-ray 2 view 93000 EKG 85010 CBC 90705 Bicillin CR 90705 ACTH | \$94 |

Respondent submitted said claims to Medi-Cal knowing that such claims were false at the time he submitted them in that: [REDACTED] (actually an alias used by Ed V [REDACTED], an investigator with the State Department of Health) never had a chest X-ray administered by respondent nor was blood withdrawn, nor was an injection given, nor was said [REDACTED] examined or treated in any way by respondent; [REDACTED] was never seen by respondent and there was no initial office visit to respondent,

nor were a CBC, or a stain smear or a Bicillin CR or any other tests or treatments performed as to said [REDACTED].

[REDACTED] was never seen by respondent nor were any of the tests, injections or withdrawals or other items described above performed as to said [REDACTED].

VII

Respondent thereby falsely billed the following amounts to Medi-Cal for services not rendered to the individuals set forth above in finding VI:

| <u>NAME</u> | <u>AMOUNT PAID FOR SERVICES NOT RENDERED</u> |
|-------------|--|
| [REDACTED] | \$28.70 |
| [REDACTED] | \$44.35 |
| [REDACTED] | \$78.08 |

VIII

Additional evidence was introduced to prove the following:

A. Respondent is a native Californian born in 1928 and he is the father of five children, the elder two being enrolled in the University of California at Los Angeles. He has resided with his wife and family at the same location since 1974.

B. Respondent earned his M.D. Degree at St. Louis University in 1954 and he was first licensed in California in 1955 following a one year internship at Queen of Angels Hospital in Los Angeles. He was employed for one year as an emergency room physician at St. Josephs Hospital, Burbank, following which he served for two years in the United States Air Force at Mather Air Force Base, Sacramento, and was discharged honorably following this service. Thereafter he was a pediatric resident at Queen of Angels Hospital for one year and following that he engaged in general practice at 1029 North Broadway, Los Angeles, from 1960 until 1976.

C. Respondent has had psychiatric problems intermittently since 1960 and he was treated with electro shock in 1960 and again in 1972 when he was administered fourteen treatments. During the

time of his offenses and until his arrest in February 1976 respondent was under treatment by psychiatrists with medication and psychotherapy. He took more Dalmane than was prescribed for him for sleep.

D. On January 3, 1976, prior to his arrest, he was admitted to a hospital under the care of a psychiatrist where he remained for ten days. He suffered arrest on February 6, 1976, following which he has not practiced medicine for payment of any sort.

E. Respondent continued in regular psychiatric treatment following his arrest and he now sees his psychiatrist about once monthly. From the time of his arrest until the entry of his plea of guilty in June 1976 respondent was hospitalized by his psychiatrist twice, for ten days in March 1976 and from May 15, 1976 until June 11, 1976. On May 20, 1976 he was taken off all medications until his discharge from hospitalization, during which period he regained his coordination, lost his stammer and stumbling gait and was able to think more clearly and logically. His understanding improved and he was able to communicate more effectively. Respondent has been under no medication whatsoever since May 20, 1976.

F. On August 4, 1976 respondent surrendered voluntarily his Drug Enforcement Administration Certificate of Registration. On June 7, 1976 respondent's three year probation order included conditions that he not practice medicine for said three years, such condition to be without limitation on any state procedures, and a prohibition of the possession of any controlled substances. A modification of the condition relating to the practice of medicine made by the Court on March 17, 1977 upon the motion of respondent's counsel and concurred in by his Probation Officer, permits respondent "Upon the approval and supervision of his Probation Officer, to render voluntary non-compensated medical care on a voluntary basis to a community health or drug program under the direct supervision of a medical doctor...said defendant

not in any way to be involved in the handling, use or prescription of any type of drugs."

G. Prior to his plea of guilty respondent was examined by two court appointed psychiatrists and the court also considered an evaluation of a psychiatrist who had treated respondent. Respondent reports in person regularly to his Probation Officer.

H. Under the modified probation order respondent has volunteered his services at Los Angeles Free Clinic for three hours on each of Monday and Wednesdays since April 1977 where he sees thirty to forty patients each night. He also contributes his services on Wednesday from 9:30 a.m. until 4:30 p.m. at the Suicide Prevention and Methadone Treatment Center.

I. Subsequent to his conviction respondent as at June 30, 1977 had approved 199 hours of formal postgraduate education and over 300 informal hours. Respondent is enrolled presently for a Tuesday night course at University of Southern California School of Medicine in a review of family practice in preparation for the examination for Board certification in that field. Respondent hopes to sit for the examination when it is next given in October 1977. He reads seven or eight professional journals weekly and is otherwise active physically and mentally and he is now closer to his family than formerly when he worked most of his waking hours and was preoccupied with his own anxieties and depression.

J. Respondent has read widely recently on drug use and its effect at the Methadone Center.

K. Respondent is being assisted financially by his parents who are also assisting his college age children. He expects to remain in psychotherapy and to reestablish his medical practice when his federal probation is terminated or further modified. He would take para-professional work if it becomes necessary economically, but he is hopeful that will not become necessary.

L. Respondent has responded well to probationary supervision and he has performed well in his voluntary professional work in 1977.

M. Respondent's final diagnosis on June 11, 1976 following his most recent hospitalization was organic brain syndrome secondary to drug intoxication. As at June 13, 1977 his treating psychiatrist sees no evidence of any mental impairment or mental illness and holds the opinion that respondent is capable of engaging in medical practice.

* * * * *

Pursuant to the foregoing findings of fact, the following determination of issues is made:

I

A certificate may be suspended or revoked pursuant to the provisions of Sections 2360 and 2372, Business and Professions Code of California. The Division shall take disciplinary action against any holder of a certificate who is guilty of unprofessional conduct, pursuant to the provisions of Section 2361 thereof.

II

Respondent has been guilty of unprofessional conduct within the meaning of Section 2383, Business and Professions Code of California, as set forth in finding III, and is subject to disciplinary action pursuant to the provisions of Sections 490 and 2361 thereof.

III

Respondent has been guilty of unprofessional conduct within the meaning of Section 2391.5, Business and Professions Code of California, in conjunction with Section 2399.5 thereof and Section 11154, Health and Safety Code of California, as set forth in findings IV and V, constituting further cause for disciplinary action pursuant to the provisions of Section 2361, Business and Professions Code of California.

IV

Respondent has been guilty of unprofessional conduct within the meaning of Sections 2361(e) and 2411, Business and Professions Code of California, as set forth in findings VI and VII, constituting further cause for disciplinary action pursuant to the provisions of Section 2361 thereof.

V

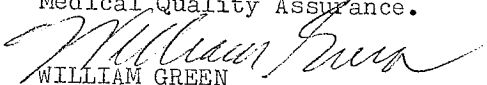
Consideration has been given to the substantial mitigation presented on behalf of respondent as well as the necessity for comity in the rehabilitation of respondent in preparing the order which follows.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The Certificate of Licensure issued to Owen Kwong, M.D. No. C 17257 is revoked on each cause determined above, separately and severally without prejudice to his filing a petition for restoration of his revoked certificate on or after the termination or modification of his court imposed probation allowing him to seek to resume the practice of medicine, provided that notwithstanding the Order of Revocation he may, upon the approval and supervision of his Probation Officer render voluntary non-compensated medical care on a voluntary basis to a community health or drug program under the direct supervision of the holder of a duly issued Certificate of Licensure working with such community health or drug facility, and further provided that he be involved in no way with the handling, use or prescription of any type of drugs.

I hereby submit the foregoing which constitutes my Proposed Decision in the above-entitled matter, as a result of the hearing had before me on June 30, 1977, at Los Angeles, California, and recommend its adoption as the decision of the Division of Medical Quality, Board of Medical Quality Assurance.


WILLIAM GREEN
Administrative Law Judge
Office of Administrative Hearings

DATED: August 12, 1977
WG:mh

Redacted

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2 Deputy Attorney General
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3 3580 Wilshire Boulevard
Los Angeles, California 90010
4 Telephone: (213) 736-2074
5 Attorneys for Complainant

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7
8 BEFORE THE DIVISION OF MEDICAL QUALITY
9 BOARD OF MEDICAL QUALITY ASSURANCE
10 DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation }
Against: }
13 OWEN KWONG } NO. D-1912
14 License No. C-17257, } ACCUSATION
15 Respondent. }

16
17 Complainant alleges that:

18 1. He is Joseph P. Cosentino, M.D., the Acting
19 Executive Officer of the Board of Medical Quality Assurance
20 of the State of California (hereinafter referred to as the
21 "Board"), and makes and files this Accusation solely in his
22 official capacity.

23 2. On or about September 7, 1955, the Board of Medical
24 Examiners (predecessor to the Board) issued to Owen Kwong, M.D.
25 (hereinafter referred to as "Respondent") Certificate of
26 Licensure No. C-17257. Said license is currently in effect.

27 3. Sections 2360 and 2372 of the Business and Pro-
28 fessions Code (hereinafter referred to as the "Code") provide that
29 every certificate issued may be suspended or revoked. Section
30 2361 of the Code provides that the Division of Medical Quality
31 shall take disciplinary action against any holder of a certifi-
32 cate who is guilty of unprofessional conduct.

1 4. Drugs: At all times pertinent herein:

2 A. Seconal, a trade name (Eli Lilly) for
3 secobarbital, was classified as a Schedule III con-
4 trolled substance in Health and Safety Code section
5 11056(b)(1), was classified federally as a Schedule
6 II controlled substance in 21 C.F.R. § 1308.12(e)(3),
7 and was classified as a dangerous drug within the
8 meaning of section 4211(a) and (k) of the Code.

9 B. Tuinal, a trade name (Eli Lilly) for
10 a combination of amobarbital and secobarbital, was
11 classified as a Schedule III controlled substance
12 in Health and Safety Code section 11056(b)(1), was
13 classified federally as a Schedule II controlled
14 substance in 21 C.F.R. § 1308.12(e)(2) and (3),
15 and was classified as a dangerous drug within the
16 meaning of section 4211(a) and (k) of the Code.

17 C. Dexedrine, a trade name (SKF) for
18 dextroamphetamine sulfate, was classified as a
19 Schedule II controlled substance in Health and
20 Safety Code section 11055(d)(1), was classified
21 federally as a Schedule II controlled substance
22 in 21 C.F.R. § 1308.12(d)(1), and was classified
23 as a dangerous drug within the meaning of section
24 4211(c) and (k) of the Code.

25 D. Desoxyn, a trade name (Abbott) for
26 methamphetamine, was classified as a Schedule II
27 controlled substance in Health and Safety Code
28 section 11055(d)(1), was classified federally as
29 a Schedule II controlled substance in 21 C.F.R.
30 § 1308.12(d)(2), and was classified as a dangerous
31

1 drug within the meaning of section 4211(c) and (k)
2 of the Code.

3 E. Nembutal, a trade name (Abbott) for
4 pentobarbital sodium, was classified as a Schedule
5 III controlled substance in Health and Safety Code
6 section 11056(b)(1), was classified federally as a
7 Schedule II controlled substance in 21 C.F.R. §
8 1308.12(e)(4), and was classified as a dangerous
9 drug within the meaning of section 4211(a) and (k)
10 of the Code.

11 F. Preludin, a trade name (Geigy) for
12 phenmetrazine HCl, was classified as a Schedule II
13 controlled substance in Health and Safety Code sec-
14 tion 11055(d)(2), was classified federally as a
15 Schedule II controlled substance in 21 C.F.R. §
16 1308.12(d)(3), and was classified as a dangerous
17 drug within the meaning of section 4211(c) and (k)
18 of the Code.

19 G. Biphetamine, a trade name (Strassenburgh)
20 for amphetamine resin, was classified as a Schedule II
21 controlled substance in Health and Safety Code section
22 11055(d)(1), was classified federally as a Schedule II
23 controlled substance in 21 C.F.R. § 1308.12(d)(1), and
24 was classified as a dangerous drug within the meaning
25 of section 4211(c) and (k) of the Code.

26 H. Quaalude, a trade name (Roerig) for
27 methaqualone, was classified as a Schedule III con-
28 trolled substance in Health and Safety Code section
29 11056(b)(6), was classified federally as a Schedule II
30 controlled substance in 21 C.F.R. § 1308.12(e)(1), and
31 was classified as a dangerous drug within the meaning
32 of section 4211(a) and (k) of the Code.

5. Section 2383 of the Code provides that the conviction of a felony involving moral turpitude constitutes unprofessional conduct within the meaning of section 2000 et seq. of the Code.

6. Section 490 of the Code provides that a license may be suspended or revoked on the ground the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the profession for which the license was issued.

7. Respondent is subject to disciplinary action pursuant to section 2361 of the Code because Respondent has been guilty of unprofessional conduct within the meaning of section 2383 of the Code and Respondent's license is further subject to suspension or revocation pursuant to section 490 of the Code as follows:

A. On or about April 13, 1976, an indictment was handed down against Respondent in the United States District Court, Central District of California. Count One of that indictment alleged conspiracy to violate certain federal statutes regulating controlled substances, which is itself a violation of 21 U.S.C. § 846.

A true and correct copy of said "Count One" is attached hereto as Annex "A" and incorporated by reference herein.

B. On or about June 7, 1976, following Respondent's plea of guilty to Count One (Annex "A" to this Accusation), Respondent was convicted of violating 21 U.S.C. § 846 and was then sentenced to 3 years probation.

1 C. The crime to which Respondent pled
2 guilty and of which he was then convicted is a
3 crime substantially related to the qualifications,
4 functions, and duties of the medical profession
5 and is also a felony involving moral turpitude.

6 8. Section 2399.5 of the Code provides that prescrib-
7 ing dangerous drugs, as defined in section 4211(k) of the Code,
8 without a good faith prior examination and medical indication
9 therefor, constitutes unprofessional conduct within the meaning
10 of the Medical Practice Act (§ 2000 et seq. of the Code).

11 9. Section 2391.5 of the Code provides that a viola-
12 tion of any state statute regulating controlled substances con-
13 stitutes unprofessional conduct within the meaning of the Medical
14 Practice Act.

15 10. Health and Safety Code section 11154 provides that
16 except in the regular practice of his profession, no person shall
17 prescribe a controlled substance for any person who is not under
18 his treatment for a pathology or condition other than addiction
19 to a controlled substance.

20 11. Respondent is subject to disciplinary action pur-
21 suant to section 2361 of the Code because Respondent has been
22 guilty of unprofessional conduct within the meaning of section
23 2391.5 of the Code (taken in conjunction with Health and Safety
24 Code Section 11154) and section 2399.5 of the Code as follows:

25 A. From on or about April 23, 1974, to
26 on or about February 5, 1976, Respondent prescribed
27 the following drugs and controlled substances for
28 [REDACTED],
29 [REDACTED], and [REDACTED], under various
30 names, as is more particularly set out in Annex "A":
31 /

| <u>DRUG</u> | <u>AMOUNT</u> |
|--------------------|-----------------|
| QUAALUDE 300 mg. | 355,000 tablets |
| DEXEDRINE 15 mg. | 25,950 capsules |
| SECONAL 1-1/2 gr. | 8,300 capsules |
| DESOXYN 15 mg. | 700 tablets |
| NEMBUTAL 100 mg. | 100 capsules |
| PRELUDIN 75 mg. | 200 tablets |
| BIPHETAMINE 20 mg. | 42,700 capsules |
| TUINAL 3 gr. | 70,900 capsules |

B. Respondent also prescribed the following drugs to the following people, as is more particularly alleged in Annex "A":

| <u>SUBJECT</u> | <u>TIME SPAN</u> | <u>DRUG & AMOUNT</u> |
|----------------|-----------------------------|--------------------------|
| [REDACTED] | May 13, 1975 - June 9, 1975 | 300 Seconal 1-1/4 gr. |
| " | " | 200 Biphettamine 20 mg. |
| [REDACTED] | May 28, 1975 | 60 Seconal 1-1/2 gr. |
| " | " | 60 Biphettamine 20 mg. |
| [REDACTED] | June 2, 1975 - June 9, 1975 | 600 Seconal 1-1/2 gr. |
| [REDACTED] | June 6, 1975 | 50 Seconal 1-1/2 gr. |
| [REDACTED] | June 6, 1975 | 50 Seconal 1-1/2 gr. |

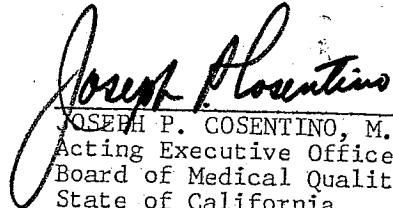
C. All of the drugs described hereinabove were prescribed without good faith prior examinations of said subjects, or any of them and without medical indication therefor, and none of the individuals for whom said drugs were prescribed were under Respondent's treatment.

WHEREFORE, Complainant prays that the Board hold a hearing on the matters alleged herein and following said hearing issue a decision:

1. Revoking or suspending Certificate of Licensure No. C-17257 heretofore issued to Owen Kwong, M.D.; and

1 2. Taking such other action as the Board in its
2 discretion deems proper.

3 DATED: 11-23-76.

4
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6 
7 JOSEPH P. COSENTINO, M.D.
8 Acting Executive Officer
9 Board of Medical Quality Assurance
10 State of California

11 Complainant
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BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation }
Against: }
OWEN KWONG, M.D. }
License No. C-17257, }
Respondent. }

NO. D-1912
FIRST SUPPLEMENTAL
ACCUSATION

Complainant alleges further that:

12. Section 2361(e) of the Code provides that the commission of any act involving moral turpitude, dishonesty, or corruption, whether the act is committed in the course of the individual's activities as a certificate holder, or otherwise, or whether the act is a felony or misdemeanor, constitutes unprofessional conduct.

13. Section 2411 of the Code provides that knowingly making or signing any certificate or other document, directly or indirectly related to the practice of medicine, which falsely represents the existence of a state of facts, constitutes unprofessional conduct.

/

1 14. Respondent is subject to disciplinary action pursu-
2 ant to section 2361 of the Code because Respondent has been guilty
3 of unprofessional conduct within the meaning of section 2361(e) of
4 the Code and section 2411 of the Code as follows:

5 A. On or about the following dates Respon-
6 dent submitted the following claims to the California
7 Medical Assistance Program for payment:

| 8 <u>DATE</u> | <u>PATIENT</u> | <u>SERVICES RENDERED</u> | <u>AMNT. CHARGED</u> |
|---------------|----------------|---|----------------------|
| 9 5-30-75 | [REDACTED] | 90020 Initial Ofc. Visit 71020 Chest X-ray Z view 85010 CBC 90705 Bicillin CR | \$65 |
| 11 /// | | | |
| 12 5-30-75 | [REDACTED] | 90020 Initial Ofc. Visit 85010 CBC 87000 Stain Smear 90705 Bicillin | \$55 |
| 14 /// | | | |
| 15 5-30-75 | [REDACTED] | 90020 Initial Ofc. Visit 71020 Chest X-ray 2 view 93000 EKG 85010 CBC 90705 Bicillin CR 90705 ACTH | \$94 |
| 18 /// | | | |

19 B. Respondent submitted said claims to
20 Medi-Cal, knowing that said claims were false at the
21 time that he submitted them, in that:

22 (1) [REDACTED] (actually
23 an alias used by Ed V [REDACTED], an investi-
24 gator with the State Department of Health)
25 never had a chest X-ray administered by
26 Respondent, nor was blood withdrawn, nor
27 was an injection given, nor was said [REDACTED]
28 [REDACTED] examined or treated in any way
29 by Respondent.

30 (2) [REDACTED] was never
31 seen by Respondent, and there was no

1 initial office visit by Respondent,
2 nor were a CBC, or a stain smear, or
3 a bicillin CR, or any other tests or
4 treatments performed as to said

5 [REDACTED]

6 (3) [REDACTED]

7 was never seen by Respondent, nor
8 were any of the tests, injections,
9 or withdrawals, or other items de-
10 scribed hereinabove at paragraph 14A
11 performed as to said [REDACTED]
12 [REDACTED]

13 C. Respondent thereby falsely billed
14 the following amounts to Medi-Cal for services not
15 rendered to the individuals described hereinabove
16 in paragraph 14:

| 17 | <u>NAME</u> | <u>AMOUNT PAID FOR SERVICES NOT RENDERED</u> |
|----|-------------|--|
| 18 | [REDACTED] | \$28.70 |
| 19 | [REDACTED] | \$44.35 |
| 20 | [REDACTED] | \$78.08 |

21 WHEREFORE, Complainant prays that the Board hold a
22 hearing on the matters alleged herein, as well as those matters
23 alleged in the original Accusation on file in this matter, and
24 following said hearing issue a decision:

- 25 1. Revoking or suspending Certificate of Licensure No.
26 C-17257, heretofore issued to Owen Kwong, M.D.; and,
27 2. Taking such other action as the Board in its discre-
28 tion deems proper.

29 DATED: 3/29/77.

30
31 *Joseph P. Cosentino*
JOSEPH P. COSENTINO, M.D.
Acting Executive Officer
Board of Medical Quality Assurance
State of California
Complainant